

# MEDICAL DISPUTE RESOLUTION FINDINGS AND DECISION

## PART I: GENERAL INFORMATION

<b>Type of Requestor:</b> (x) HCP    ( ) IE    ( ) IC	<b>Response Timely Filed?</b> ( ) Yes    (x) No
Requestor's Name and Address Dr. Alan Berg  7125 Marvin D. Love #107  Dallas, TX 75237	MDR Tracking No.: M4-04-0255-01
	TWCC No.:
	Injured Employee's Name:
Respondent's Name and Address Universal Underwriters Insurance  Box 10	Date of Injury:
	Employer's Name: Freeman Investment Co., Inc.
	Insurance Carrier's No.: 2720010160

## PART II: SUMMARY OF DISPUTE AND FINDINGS (Details on Page 2, if needed)

Dates of Service		CPT Code(s) or Description	Amount in Dispute	Amount Due
From	To			
10/23/02	10/23/02	97110	\$35.00	\$0.00

## PART III: REQUESTOR'S POSITION SUMMARY

Position Summary dated 08/25/03 states in part, "...Carrier made a partial payment of our procedure code 97110. We attempted to request for reconsideration based upon the 1996 TWCC MFG< this code is reimbursed at \$35.00 per unit and our charge was for 2 unit...only one unit was paid..."

## PART IV: RESPONDENT'S POSITION SUMMARY

Respondent did not submit a Position Summary.

## PART V: MEDICAL DISPUTE RESOLUTION REVIEW SUMMARY, METHODOLOGY, AND/OR EXPLANATION

- CPT Code 97110 for date of service 10/23/02 denied as "T – Treatment Guidelines" and "F – Fee Guidelines MAR Reduction". The treatment guideline was abolished on January 1, 2002; therefore, per Advisory 2002-11 and 133.1(a)(12) the carrier has used an invalid denial code. The carrier paid for one unit; however, recent review of disputes involving CPT Code 97110 by the Medical Dispute Resolution section indicate overall deficiencies in the adequacy of the documentation of this Code both with respect to the medical necessity of one-on-one therapy and documentation reflecting that these individual services were provided as billed. Moreover, the disputes indicate confusion regarding what constitutes "one-on-one." Therefore, consistent with the general obligation set forth in Section 413.016 of the Labor Code, the Medical Review Division has reviewed the matters in light all of the Commission requirements for proper documentation. The MRD declines to order payment because the SOAP notes do not clearly delineate exclusive one-on-one treatment nor did the requestor identify the severity of the injury to warrant exclusive one-to-one therapy. Additional reimbursement not recommended.

**PART VI: DETAIL FINDINGS (If needed)**

Date of Service	CPT Code	Amount in Dispute	Amount Due	Date of Service	CPT Code	Amount in Dispute	Amount Due
10/23/2002	97110	\$35.00	\$0.00				
				<b>Total Left Column:</b>			\$35.00
				<b>Total Amount Due:</b>			\$0.00

## PART VII: COMMISSION DECISION AND ORDER

Based upon the review of the disputed healthcare services, the Medical Review Division has determined that the requestor is not entitled to additional reimbursement.

Ordered by:

01-28-05

Authorized Signature

Typed Name

Date of Order

## PART VIII: YOUR RIGHT TO REQUEST A HEARING

Either party to this medical dispute may disagree with all or part of the Decision and has a right to request a hearing. A request for a hearing must be in writing and it must be received by the TWCC Chief Clerk of Proceedings/Appeals Clerk within 20 (twenty) days of your receipt of this decision (28 Texas Administrative Code § 148.3). This Decision was mailed to the health care provider and placed in the Austin Representatives box on \_\_\_\_\_. This Decision is deemed received by you five days after it was mailed and the first working day after the date the Decision was placed in the Austin Representative's box (28 Texas Administrative Code § 102.5(d)). A request for a hearing should be sent to: Chief Clerk of Proceedings/Appeals Clerk, P.O. Box 17787, Austin, Texas, 78744 or faxed to (512) 804-4011. A copy of this Decision should be attached to the request.

The party appealing the Division's Decision shall deliver a copy of their written request for a hearing to the opposing party involved in the dispute.

**Si prefiere hablar con una persona in español acerca de ésta correspondencia, favor de llamar a 512-804-4812.**

## PART IX: INSURANCE CARRIER DELIVERY CERTIFICATION

I hereby verify that I received a copy of this Decision and Order in the Austin Representative's box.

Signature of Insurance Carrier: \_\_\_\_\_ Date: \_\_\_\_\_